

### **REMARKS**

This amendment is in response to the Final Office Action mailed October 20, 2008 and further to entry of the Amendment filed January 20, 2009, and entered by the Advisory Action mailed February 6, 2009. Claims 1, 6, 7 and 12 have been amended and claim 3 has been canceled. Claims 1, 4, 6-9, 12 and 14 are presently pending.

In paragraphs 5-8 of the Final Office Action, claims 1, 3, 4, 6-9, 12 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art described in the background of the instant application itself, published as U.S. Patent Publication No. 2006/0182147 (Sanchez) in view of U.S. Patent Publication No. 2003/0003951 to Leprieur *et al.* (Leprieur). Applicant traverses.

Among the limitations of independent claim 1 which are neither disclosed nor suggested in the art of record is the step of “updating a value of the offset  $T_{\text{offset}}$  on each change of the current cell and for each neighboring cell associated with the radio access technique of the passive module.” Among the limitations of independent claim 6 which are neither disclosed nor suggested in the art of record is the requirement for a “means for updating a value of the offset  $T_{\text{offset}}$  on each change of the current cell and for each neighboring cell associated with the radio access technique of the passive module.” Among the limitations of independent claim 7 which are neither disclosed nor suggested in the art of record is the requirement that “a unit for calculating a time offset  $T_{\text{offset}}$  between start of a specific frame of a first operating mode and start of a specific frame of a second operating mode in a cellular telecommunication network, wherein said unit updates a value of the offset  $T_{\text{offset}}$  on each change of the current cell and for each neighboring cell associated with the radio access technique of the passive module.”

The Office Action cites paragraphs [0005]-[0007] of Leprieur, which teach that in multimode terminals, a passive mode receiver must make measurements as “often imposed by the standardization bodies that regulate existing and projected mobile radio services.” *Id.* Cited paragraph [0009] discloses that the passive mode receiver must “determine the time shift between two mobile radio modes in order to be able to switch from one to the other during a call, when in standby mode, or to carry out measurements.” *Id.* Cited paragraphs [0015] and [0040] disclose that a mobile terminal

calculates the time shift between two modes. But other than as required by standards, Leprieur is silent concerning when such calculation is done. Applicant therefore respectfully disagrees with the Office Action's assertion that Leprieur discloses the claimed limitations, because Leprieur doesn't disclose calculating the time offset of a passive mode *on* a change from a current cell to another, and further does not disclose measuring time offset for each neighboring cell when a handover occurred. Leprieur states that "[t]o set up a call, a mobile terminal must be associated with a based station of the geographical area in which it is located." Leprieur, paragraph [0005] (emphasis added). In paragraphs [0005]-[0007], [0009], [0015], [0021], [0033] and [0038]-[0040] Leprieur only considers the time for the mode measured in the current cell servicing the mobile terminal. For these reasons, independent claims 1, 6 and 7 are believed to be allowable over the cited art. In the absence of any teaching or suggestion of these claimed features of the invention, independent claims 1, 6 and 7 are believed to be in condition for allowance.

Dependent claims 4, 8-9, 12 and 14 depend either directly or indirectly from independent claims 1 and 7, and incorporate all the limitations of the independent claims from which they depend. These dependent claims are allowable over the cited art for at least the same reasons discussed above. In addition, these dependent claims include additional limitation which, in combination with the limitations of the independent claims from which they depend, are further allowable.

In view of the above amendment and remarks, applicant respectfully requests reconsideration of the pending application.

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